HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20605 of 2006

Dated:29.09.2006

Between:

Nadella Muneiah.

…Petitioner

and

The Sub-Registrar and another.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20605 of 2006

ORDER:

It is stated that the petitioner purchased an extent of Acs.4.48 cents of agricultural land in Survey No.1494/1 situated at Ganagapalli Village of Pendlimarri Mandal in Kadapa District, from Gajulapalle Papaiah, and submitted the said sale deed before the first respondent for registration. However, the first respondent kept the document pending, and when enquired, the petitioner was informed that the document cannot be registered as the subject land was classified as Government land. Hence the present Writ Petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this writ petition is disposed of directing the first respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be

it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(V.V.S.RAO, J)

29.09.2006
vs